



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,031	10/27/2000	Michael L Obradovich	40985/DMC/C685	6778

23363 7590 12/20/2002

CHRISTIE, PARKER & HALE, LLP
350 WEST COLORADO BOULEVARD
SUITE 500
PASADENA, CA 91105

EXAMINER

TO, BAOQUOC N

ART UNIT	PAPER NUMBER
----------	--------------

2172

DATE MAILED: 12/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,031

Applicant(s)

OBRADOVICH, MICHAEL L

Examiner

Baoquoc N To

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 19-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☒ Interview Summary (PTO-413) Paper No(s). 7.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-6. 6) ☐ Other:

Art Unit: 2172

DETAILED ACTION

1. Claims 1-21 are in the application.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 04/11/2001, 05/31/2001, 12/03/2001 and 08/21/2002. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Election/Restrictions

3. Restriction to one of the following invention is required under 35 U.S.C. 121

I. Claims 1-18 are drawn to populating the database with provided information, which is classified in Class 707, subclass 200.

II. Claims 19-21 are drawn to determine the data regarding location of the user in Class 701, subclass 200.

4. Inventions I and II are related as subcombinations disclosed as usable together a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I is populated the database according the requested information. The method of providing information in the invention II is utilized to determining data regarding locations approximate the user location. See M.P.E.P 806.05(d)

5. Because of the inventions are distinct for the given reasons and have acquired in a separate status in the art as show by their different classification, restriction for examination purposes as indicated is proper.

6. During a telephone conversation with Mr. Daniel M. Cavanagh, Reg. No. 41, 661 of November 5, 2002, a provision election was made to prosecute the invention of Group I, claims 1-18. Affirmation of this election must be made by application in replying to this Office action. Claims 19-21 have been withdrawn from further consideration by the examiner, 37 CFR 1.1429b), as being drawn to a non-elected invention.

7. Claims 1-18 are presented for examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-2, 4-6 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al. (US. Patent No. 6,202,023).

Regarding on claim 1, Hancock teaches a method of populating a database comprising:

determining a tag location (a location) (col. 27, lines 43-45);

requesting (query database) information concerning the tag location (col. 27, lines (col. 27, lines 39-41); and

providing the information to a computer system having a database residing in memory (col. 28, lines 3-9).

Hancock does not explicitly teach a tag location have described. However, the examiner interprets "the tag location" is a user location as described in Hancock (col. 27, lines 43-45). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the user location in Hancock into "tag location" as claimed in order to provide users with information that is specific to the user's geographical location

Regarding on claim 2, Hancock teaches determining a tag location comprises:
Evaluating the position of a GPS capable services (col. 27, lines 51-53);
Waiting a preselected time period (elapse time) (col. 28, lines 21-23);
Reevaluating the position of the GPS capable service (col. 28, lines 21-22); and
Determining if the position of the GPS capable device before and after waiting
the preselected time period is substantially the same (col. 28, lines 18-23).

Regarding on claim 4, Hancock teaches the tag location comprises a plurality of
locations (col. 28, lines 52-54).

Regarding on claim 5, Hancock teaches the tag location comprises a selected
area (col. 27, lines 43-45).

Regarding on claim 6, Hancock teaches the requesting information concerning
the tag location comprising:

Formatting a request identifying the selected area to a server computer system
(col. 27, lines 63-65); and

Communicating the request identifying the selected area (retrieve results) to the
server computer system (col. 28, lines 5-8).

Regarding on claim 8, Hancock teaches the tag location comprises a selected area (col. 28, line 52-54).

Regarding on claim 9, Hancock teaches requesting formation concerning the tag location comprising:

formatting a request identifying the selected area to a server computer system (col. 27, lines 63-65); and

communicating the request identifying the selected area to the server computer system (col. 28, lines 5-8).

9. Claim 3, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al. (US. Patent No. 6,202,023) in view of Sotiroff et al. (US. Patent No. 5,852,810).

Regarding on claim 3, Hancock teaches determining a tag location comprises:
presenting a map display using a computer to a user (col. 28, line 61);

Hancock does not explicitly teach receiving a selected position on the map display. However, Sotiroff teaches, "the user is allowed to select a more specific area, in this case a particular state 30, from the high level map by moving a point device over the area and selecting area (step 100, FIG. 6). Since the map is designated as an image map, the browser 26 returns the coordinates of the point of selected on the map" (col. 4, lines 11-17). This teaches the user selected a state by clicking on the state 30 as a selected position on the map and the coordinates are returned to the system to retrieve the area. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Sotiroff into Hancock because allowing the user to selected the specific location in the map would allow the system to retrieve the area and the reference locations as user requested.

Regarding on claim 7, Hancock teaches a method of populating the database based on the requesting information concerning the tag location as in claim 6.

Hancock does not explicitly teach the determining a tag location comprises: presenting a map display to a user, the map display providing for selection of an area of the display; receiving an indication of an area selected on the map display.

On the other hand, Sotiroff teaches presenting a map display to a user, the map display providing for selection of an area of the display (col. 4, lines 11-15); receiving an indication of an area selected on the map display (col. 4, lines 15-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Sotiroff into Hancock because allowing the user to selected the specific location in the map would allow the system to retrieve the area and the reference locations as user requested.

Regarding on claim 10, Hancock teaches a method of populating a database based on requesting information concerning the tag location as in claim 6.

Hancock does not explicitly teach determining a tag location comprises:

presenting a map display to a user, the map display providing for selection of an area of the display; receiving an indication of an area selected on the map display.

On the other hand, Sotiroff teaches presenting a map display to a user, the map display providing for selection of an area of the display (col. 4, lines 11-15); receiving an indication of an area selected on the map display (col. 4, lines 15-33).

Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Sotiroff into Hancock because allowing the user to selected the specific location in the map would allow the system to retrieve the area and the reference locations as user requested.

10. Claims 11-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kari et al (US. Patent No. 6,154,745).

Regarding on claim 11, Kari teaches a method of accessing data in a database using a profile, the data comprising an indication of a geographic location and information regarding the geographic location, a subset of the data being associated with the profile, the method comprising:

Receiving a request (query) for data from a database;

Receiving a profile identification associated with the request for data from the database;

Forming search criteria for a search of the database (fill'er up query form), the search criteria including details of the request for data and details of a profile (name, age, sex are detail of profile) (fig. 8) identified by the profile identification; and

Locating data fulfilling the search criteria (fill'er up query results) (fig. 9).

Kari does not explicitly teach the details of a profile identified by the profile identification. However, Kari teaches, "the user profile of users of the search services stored in the connection server 3 contains at least the user identification, such as user name and password, etc., user default values for each service, and possibly also other service-specific setting" (col. 9, lines 22-26). This teaches the profile identification is the user name or password. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to include user name or password in order

Art Unit: 2172

to provide access to the user profile and using the user profile for searching the information.

Regarding on claim 12, kari teaches the profile includes user information (name, age, sex, and cellular phone number) (fig. 9).

Regarding on claim 13, Kari teaches the user information includes a user age (age 30) (fig. 8).

Regarding on claim 14, Kari teaches the profile includes items identified as favorites (other infor, search word) of the user (fig. 7).

Regarding on claim 15, Kari teaches the profile includes standard details (name, sex, age are standard details) (fig. 8).

Regarding on claim 17, Kari teaches each profile (a user profile) is associated with a user (col. 6, lines 40-46).

11. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kari et al (US. Patent No. 6,154,745) in view of Reese (US. Patent No. 6,374,237).

Regarding on claim 16, teaches receiving a request for modification of details of a profile, and modifying the profile in response to the request for modification of details of the profile. However, Reese teaches, "the client prompts (step 260) the user to modify the user profile request. If the user wish to modify the user profile request, the client can send the modified user profile to the matching server to conduct a further search of the content sites" (col. 4, lines 22-27). This teaches the user is prompt for choice of modifying the user profile and if so the modified user profile is sent to the server to conduct the search. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Reese into kari because allowing the user to request to modify the user profile and using the modified profile to search would retrieve the result much relevance to the users.

12. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kari et al (US. Patent No. 6,154,745) in view of Chislenko et al. (US. Patent No. 6,041,311).

Regarding on claim 18, Kari does not explicitly teach multiple profiles are associated with a user. However, Chislenko teaches, "a plurality of user profiles is stored in a memory element (step 102). One profile may be created for each user or multiple profiles may be created for a user to present that user over multiple domain" (col. 3, lines 15-18). This teaches a user can have one or multiple profiles. Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention was made to modify the teaching of Chislenko into Kari in order to provide the user with multiples searching profile to allow the user to use the profile that fit for particular area of searching.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached at (703) 305-4393.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

- (703) 746-7238 [After Final Communication]
- (703) 746-7239 [Official Communication]
- (703) 746-7240 [Non-Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).


JEAN M. CORRIELUS
PRIMARY EXAMINER

Baoquoc N. To
December 7, 2002